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FILED

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BOARD OF PHARMACY

By: Megan Cordoma
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Administrative Action

Darlene Tong, R.P.
License No.: RI02487500

:
: **CONSENT ORDER**
: **OF REVOCATION**
:
:
:

TO PRACTICE PHARMACY IN THE :
STATE OF NEW JERSEY :
_____ :

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information that on February 20, 2009, respondent plead guilty in the Superior Court of New Jersey, Hunterdon County, to the following:

One count of possession of prescription legend drugs not lawfully prescribed or administered by a licensed physician and with intent to distribute contrary to the provisions of N.J.S.A. 2C:35-10.5 (2nd Degree). Specifically, between January 10, 2003 and December 17, 2007 Respondent did unlawfully and knowingly possess or have under her control with intent to distribute a prescription legend drug, namely Hydrocodone and/or Vicoprofen, and/or Cephalexin and/or Xanax[®], and/or Zoloft and/or Alprazolam and/or Hydrocol, and/or Hydroclear Tuss in the amount of 100 or more dosage units not lawfully prescribed or administered by a licensed physician.

One (1) count of Forgery in the 3rd Degree. Specifically, between January 10, 2003 and November 21, 2007, Respondent, without authorization and with purpose to defraud or injure Shop Rite of Clinton, did make, complete, alter, execute, authenticate, issue or transfer a writing of another to wit: New Jersey Prescription Blanks of various doctors who did not authorize said acts, contrary to the provisions of N.J.S.A. 2C:21-1a(2).

Two (2) counts of Impersonation/Theft of Identity in the 3rd Degree. Specifically, between January 10, 2003 and December 17, 2007, Respondent did unlawfully impersonate or assume a false identity or identities of at least two but no less than five victims for the purpose of obtaining a benefit to wit: prescription legend drugs, with value in excess of \$500.00 contrary to the provisions of N.J.S.A. 2C:21-17a.

One (1) count of Insurance Fraud in the 2nd Degree. Specifically, Respondent knowingly made false, fictitious or misleading statements of material fact in writing or in any other form to be submitted as part of, in support of or in connection with a claim for payment, reimbursement or other benefit pursuant to an insurance policy, on five or more occasions and with an aggregate value of over \$1000, contrary to the provisions of N.J.S.A. 2C:21-4.6a.

As part of respondent's guilty plea, she agreed to surrender her pharmacy license with no right to reapply.

The above convictions provide grounds for the revocation or suspension of respondent's license to practice pharmacy in the State of New Jersey pursuant to N.J.S.A. 45:1-21(b) in that she has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense; N.J.S.A. 45:1-21 (e) in that she has engaged in professional or occupational misconduct; and N.J.S.A. 45:1-21 (f) in that the crimes of which respondent was convicted are crimes of moral turpitude and/or relate adversely to the practice of pharmacy.

IT IS THEREFORE on this 20 day of February, 2008,
ORDERED AND AGREED that:

1. Respondent's license to practice pharmacy in the State of New Jersey be and

hereby is surrendered effective immediately. Such surrender to be deemed a revocation of respondent's license, with prejudice. Respondent shall not hereafter apply for reinstatement of licensure.

2. Respondent shall immediately cease and desist from engaging in the practice of pharmacy including the following: respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; she shall not handle anything requiring a prescription including devices and medications; she shall not handle prescriptions; she shall not advise or consult with patients, and she is prohibited from being present within a prescription filling area of a pharmacy.

5. Within five days of signing this Order, Respondent shall surrender her original wall certificate, her wallet certificate, and the most recent renewal card of her license to an authorized representative of the Board or mail these items to: Executive Director Joanne Boyer, New Jersey Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101.

NEW JERSEY STATE BOARD OF PHARMACY

By: Edward G. McGinley
Edward G. McGinley, R.P.
President

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Pharmacy.

Darlene Tong
Darlene Tong, R.P.

Consent is given as to form and entry of this Order.

Matthew Streger, Esq.
Matthew Streger, Esq.
Attorney for Darlene Tong, R.P.